

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

v.

Case No. 93-50028

SHAWN EUGENE WIMBERLY,

Defendant.

ORDER DENYING MOTION TO TERMINATE SUPERVISED RELEASE

Shawn Wimberly pleaded guilty to three counts arising from his role in a conspiracy to distribute cocaine. He was sentenced to 127 months' imprisonment and five years of supervised release. Proceeding *pro se*, he moves under 18 U.S.C. § 3583(e)(1) to terminate his supervised release four years early.

Section 3583(e)(1) empowers a district court, exercising discretion, to discharge a person from supervised release after he serves a year of it. The probation office reports—for Wimberly's motion never says—that Wimberly began his supervised release on November 22, 2011. The motion arrived on January 4, 2013, so Wimberly has served a year, as required.

The motion offers little, however. For the most part, Wimberly merely lists vague criteria ("community re-integration," "progressive strides toward supervision objectives," etc.) and, providing no detail, pronounces that he has met them. Not enough information appears. At any rate, Wimberly assisted a sophisticated drug ring, led the police on a car chase, escaped, and spent nearly ten years in hiding. His conduct

supports a settled conviction that, for the sake of both public safety and personal rehabilitation, he should complete more than twenty percent of his supervised release. Accordingly,

IT IS ORDERED that the motion to terminate supervised release [Dkt. # 641] is DENIED WITHOUT PREJUDICE.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 19, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 19, 2013, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522